

March 22, 1973

discussed separately. Is that correct or not?

PRESIDENT: That is correct and the Chair would rule that way.

SENATOR PROUD: In that event, I would take Senator Carpenter at his word which is as I understood it was that the Attorney General should act in case something illegal is being done. Therefore I offer an amendment to the second paragraph which would simply say, I would add on to there, provided that the attorney general shall proceed only if in his opinion the project is in violation of Nebraska law. I trust Senator Carpenter would have no objection to that.

PRESIDENT: Senator Carpenter.

SENATOR CARPENTER: I would highly endorse it. I commend the Senator from proving the motion.

CLERK: Read

PRESIDENT: May I have the rest of it?

CLERK: Read

PRESIDENT: Senator Chambers, did you wish to be recognized?

SENATOR CHAMBERS: Mr. President, this is very brief, I watched the news last night and heard the Mayor talking about this project and he stated that the cities credit would not be used to back these bonds or the project. So I don't see where Senator's Proud motion, his amendment would necessarily fit. Now if the Mayor denied that the cities credit is being used, and if in fact the cities credit is being used even though that may not be illegal it should stop the project based on the conditions that the mayor said obtained for this project that they have in mind. So under Senator Proud's motion if the body accepts it the city can do just exactly what the Mayor says the city is not going to do, and not be found in violation of the law and this proposal by Senator Carpenter to protect the interest of the people would be rendered and all in void.

PRESIDENT: Senator Syas.

SENATOR SYAS: Well I just wanted to clarify something on the Senator Proud's amendment. I'm for it only I was just wondering I can see where something could comply with the Nebraska Statutes and yet be unconstitutional. I think that we should put in something there the illegal statutory or by constitution. Now the reason that I say that and that is this. I was going to do something about this this session. Senator Wiltse last session passed a bill, and I think that it is quite pertinent to this debate. He passed...we voted for it and frankly when I looked up my vote, I voted for it too, just as guilty as the rest....that verbyly when I went over I was going to introduce a bill about it, when I went over and asked the attorney general about it verbyly it is against the constitution all together. What does it pertain to? It pertains to the cities rights to donate funds to various groups for city projects to building and so forth. It is on the books. Now if you say statutes here, this would be legal on the statutes.

(end belt #4)